

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

IN RE: WASHINGTON MUTUAL
MORTGAGE BACKED SECURITIES
LITIGATION,

This Document Relates to: ALL CASES

CASE NO. C09-037-MJP

**DECLARATION OF STEVEN W. FOGG
IN SUPPORT OF JP MORGAN CHASE
BANK, N.A.'S OPPOSITION TO LEAD
PLAINTIFFS' MOTION FOR LEAVE TO
AMEND TO ADD JPMC AS A
DEFENDANT IN THIS ACTION**

**Oral Argument Requested
Hearing Date: July 15, 2011**

I, Steven Fogg, hereby declare as follows under penalty of perjury pursuant to 28 U.S.C.
§ 1746:

1. I am a member of the law firm of Corr Cronin Michelson Baumgardner & Preece
LLP, counsel for JPMorgan Chase Bank, N.A. I am an attorney in good standing in the State
of Washington.

2. I am over 18 years of age and am competent to testify to the matters and facts set forth
herein.

3. Attached hereto as Exhibit A is a true and correct copy of the Complaint filed in

DECLARATION OF STEVEN W. FOGG - 1
Case No. C09-037-MJP

**CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP**
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

1 Deutsche Bank National Trust Co. v. FDIC, No. 09-01656 (D.D.C. 2009) (Dkt. No. 1), on
2 August 26, 2009.

3 4. Attached hereto as Exhibit B is a true and correct copy of the Memorandum of Points
4 and Authorities in Support of FDIC Receiver's Motion to Dismiss filed in Deutsche Bank
5 National Trust Co. v. FDIC, No. 09-01656 (D.D.C. 2009) (Dkt No. 20-1), on June 17, 2010.

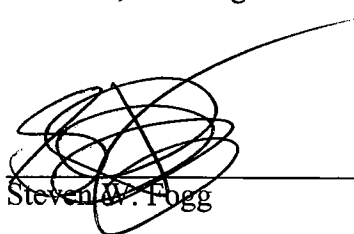
6 5. Attached hereto as Exhibit C is a true and correct copy of the Memorandum of Points
7 and Authorities in Support of FDIC Receiver's Motion to Dismiss filed in Deutsche Bank
8 National Trust Co. v. FDIC, No. 09-01656 (D.D.C. 2009) (Dkt No. 54-1), on November 22,
9 2010.

10 6. Attached hereto as Exhibit D is a true and correct copy of a March 18, 2004, article
11 entitled "David Beck to Lead Washington Mutual's Capital Markets Efforts; Commercial
12 Group's Dick Fisher Promoted".

13 7. Attached hereto as Exhibit E is a true and correct copy of the July 7, 2010, opinion in
14 GECCMC 2005-C1 Plummer St. Office Ltd. P'ship v. JPMorgan Chase Bank, N.A., No. 10-
15 01615 (Dkt. No. 34) (C.D. Cal.).

16 I hereby declare, under penalty of perjury under the laws of the United States of America,
17 that the foregoing is true and correct.

18 DATED this 11th day of July, 2011, at Seattle, Washington.

19
20
21 
22 Steven W. Fogg
23
24
25

DECLARATION OF STEVEN W. FOGG - 2
Case No. C09-037-MJP

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

CERTIFICATE OF SERVICE

The undersigned certifies as follows:

1. I am employed at Corr Cronin Michelson Baumgardner & Preece LLP, attorneys for JP Morgan Chase & Co. herein.
2. On July 11, 2011, I caused a true and correct copy of the foregoing document to be served on the following parties in the matter indicated below:

Floyd Abrams - fabrams@cahill.com

Michael H. Barr - mbarr@sonnenschein.com

Walter Eugene Barton - gbarton@karrtuttle.com, nrandall@karrtuttle.com,
danderson@karrtuttle.com

Steve W. Berman - steve@hbsslaw.com, robert@hbsslaw.com,
heatherw@hbsslaw.com

S Douglas Bunch - dbunch@cohenmilstein.com

Steven P Caplow - stevencaplow@dwt.com, patrickwatts@dwt.com,
sheilarowden@dwt.com, jasonSchattenkerk@dwt.com

Kevin P Chavous - kchavous@sonnenschein.com

James J. Coster - jcoster@ssbb.com, managingclerk@ssbb.com, jregan@ssbb.com

Hal D Cunningham - hcunningham@scott-scott.com, halcunningham@gmail.com,
efile@scott-scott.com

Kerry F Cunningham - kerry.cunningham@dlapiper.com

Leslie D Davis - ldavis@sonnenschein.com

Corey E Delaney - corey.delaney@dlapiper.com, kerry.cunningham@dlapiper.com,
richard.hans@dlapiper.com, patrick.smith@dlapiper.com

Joshua S. Devore - jdevore@cohenmilstein.com, efilings@cohenmilstein.com

Joseph A. Fonti - jfonti@labaton.com, ElectronicCaseFiling@labaton.com

Larry Steven Gangnes - gangnesl@lanepowell.com, sebringl@lanepowell.com,
docketing-sea@lanepowell.com, donnellyjoss@lanepowell.com

Jonathan Gardner jgardner@labaton.com

1 Joseph P Guglielmo - jguglielmo@scott-scott.com, efile@scott-scott.com
2 Richard F Hans - richard.hans@dlapiper.com, dorinda.castro@dlapiper.com
3 David Daniel Hoff - dhoff@tousley.com, efile@tousley.com
4 Julie Hwang - jhwang@labaton.com, ElectronicCaseFiling@labaton.com
5 Geoffrey M Johnson - gjohnson@scott-scott.com, efile@scott-scott.com
6 Matthew B. Kaplan - mkaplan@cohenmilstein.com, efilings@cohenmilstein.com
7 Stellman Keehnel - stellman.keeheel@dlapiper.com, patsy.howson@dlapiper.com
8 Paul Joseph Kundtz - pkundtz@riddellwilliams.com, mardowns@riddellwilliams.com,
9 mbergquam@riddellwilliams.com
10 Joel P Laitman - jlaitman@cohenmilstein.com
11 Bruce Earl Larson - blarson@karrtuttle.com, psteinfeld@karrtuttle.com
12 Mike Liles - Jr - mliles@karrtuttle.com
13 Christopher E Lometti - clometti@cohenmilstein.com
14 John D Lowery - jlowery@riddellwilliams.com, dhammonds@riddellwilliams.com
15 Douglas C McDermott - doug@mcdermottnewman.com,
16 eric@mcdermottnewman.com
17 Bradley T. Meissner - bradley.meissner@dlapiper.com
18 Timothy Michael Moran - moran@kiplinglawgroup.com,
19 cannon@kiplinglawgroup.com
20 Walter W. Noss - wnoss@scott-scott.com, efile@scott-scott.com
21 Brian O. O'Mara - bomara@csgrr.com
22 Barry Robert Ostrager - bostrager@stblaw.com, managingclerk@stblaw.com
23 Kenneth J Pfaehler - kenneth.pfaehler@snrdenton.com, nicole.reeber@snrdenton.com
24 Daniel B Rehns - drehns@cohenmilstein.com, efilings@cohenmilstein.com
25 Kenneth M Rehns - krehns@cohenmilstein.com
Julie Goldsmith Reiser - jreiser@cohenmilstein.com
Serena Richardson - srichardson@labaton.com, ElectronicCaseFiling@labaton.com
Rogelio Omar Riojas - omar.riojas@dlapiper.com, nina.marie@dlapiper.com,
karen.hansen@dlapiper.com
Darren J Robbins - e_file_sd@csgrr.com

1 Tammy Roy - troy@cahill.com

2 Joshua M. Rubins - jrubins@ssbb.com, managingclerk@ssbb.com, jregan@ssbb.com

3 Stephen M. Rummage - steverummage@dwt.com, jeannecadley@dwt.com

4 Hollis Lee Salzman - hsalzman@labaton.com, ElectronicCaseFiling@labaton.com

5 Paul Scarlato - pscarlato@labaton.com, ElectronicCaseFiling@labaton.com

6 Arthur L Shingler - ashingler@scott-scott.com, efile@scott-scott.com

7 Gavin Williams Skok - gskok@riddellwilliams.com,
8 dhammonds@riddellwilliams.com

9 Richard A Speirs - rspeirs@cohenmilstein.com

10 Kim D Stephens - kstephens@tousley.com, wcruz@tousley.com,
11 cbonifaci@tousley.com

12 Robert D Stewart - stewart@kiplinglawgroup.com, cannon@kiplinglawgroup.com

13 Janissa Ann Strabuk - jstrabuk@tousley.com, wcruz@tousley.com

14 Steven J Toll - stoll@cohenmilstein.com, efilings@cohenmilstein.com

15 Mary Kay - Vyskocil mvyskocil@stblaw.com

16 Dennis H Walters - dwalters@karrtuttle.com, wbarker@karrtuttle.com

17 Adam Zurofsky - azurofsky@cahill.com

18 I declare under penalty of perjury under the laws of the State of Washington that the
19 foregoing is true and correct.

20 DATED this 11th day of July, 2011, at Seattle, Washington.

21 /s/Heidi M. Powell
22 Heidi M. Powell